

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/672,593	VOGT ET AL.
	Examiner	Art Unit
	Tuan V. Thai	2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- This communication is responsive to Terminal Disclaimer filed 11/04/2005.
- The allowed claim(s) is/are 25-35, 40-52, 54 and 57-60 renumbered as 1-29 respectively.
- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - All
  - Some\*
  - None
 of the:
  - Certified copies of the priority documents have been received.
  - Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- Notice of Informal Patent Application (PTO-152)
- Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- Examiner's Amendment/Comment
- Examiner's Statement of Reasons for Allowance
- Other \_\_\_\_\_

TUAN V. THAI  
PRIMARY EXAMINER

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**Attorney's Docket No.: 42390P8647C**

IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

**In re application of:** Vogt et al. **Group:** 2186  
**Serial No.:** 10/672,593 **Examiner:** Tuan Thai  
**For:** METHOD AND DEVICE FOR PROVIDING HIDDEN STORAGE IN NON-VOLATILE MEMORY.

1. This office action is responsive to amendment filed on 09/12/2005 and Terminal Disclaimer filed 11/04/2005. Claims 25-35, 40-52, 54 and 57-60 are now allowed. Claims 1-24, 36-39, 53 and 55-56 have been canceled.

REASONS FOR ALLOWANCE

2. The following is an Examiner's Statement of Reasons for Allowance:

The prior arts of record do not teach nor suggest, either alone or in combination, all the limitations of the claimed invention (claims 25, 40, 49 and 57). Junya ('564) is the closest prior art cited by the Examiner, wherein the invention of Junya discloses the up/down counter 43 for incrementing and decrementing the counted value when matched/unmatched password is detected. Junya does not particularly teach the counter maintains a running total of bad passwords entered, and stopping

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the process of password verifications when the bad password counter reaches a predetermined value as being claimed. In light of the foregoing; claims 25, 40, 49 and 57 of the present invention are found to be patentable over the prior art.

Claims 26-35, 41-48, 50-52, 54 and 58-60 further limit the allowable independent claims 25, 40, 49 and 57. These claims are therefore allowable for the same reason as set forth above.

Any comments considered necessary by Applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

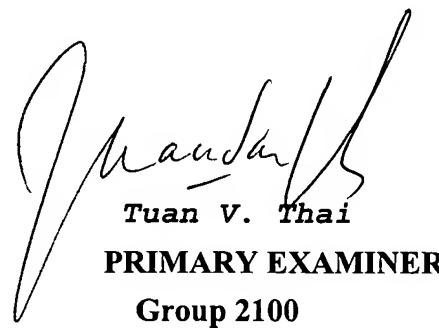
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan V. Thai whose telephone number is (571)-272-4187. The examiner can normally be reached on from 6:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew M. Kim can be reached on (571)-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through  
Private PAIR only. For more information about the PAIR system,  
see <http://pair-direct.uspto.gov>. Should you have questions on  
access to the Private PAIR system, contact the Electronic  
Business Center (EBC) at 866-217-9197 (toll-free).

**TVT**/October 20, 2005



*Tuan V. Thai*  
**PRIMARY EXAMINER**  
**Group 2100**